

**NOTICE OF MATERIALMAN'S AND LABORER'S
LIEN PURSUANT TO M.C.A. §85-7-131 ET SEQ.**

STATE OF MISSISSIPPI
COUNTY OF DESOTO

TO: R & W DEVELOPERS, LLC
5627 Getwell Road
Southaven, MS 38671

Charles Carter, d/b/a Home Repair Company, hereby serves notice on R & W Developers, LLC, 5627 Getwell Road, Southaven, MS 38671, by forwarding via Certified Mail, Receipt Requested, a Materialman's and Laborer's Lien under the provisions of M.C.A. §85-7-131, et. seq., and hereby notified the said R & W Developers, LLC, of the claim of Charles W. Carter, d/b/a Home Repair Company, and in support thereof, would show and state the following:

1. That R & W Developers, LLC, is the owner of the following described land located in DeSoto County, Mississippi, more particularly described as follows, to wit:

Deerchase North Commercial Park, Section 4, Township 2 South, Range 7 West, Lot 1 & 2 recorded in Plat Book 99, Page 28 at the DeSoto County Chancery Clerk's Office, Hernando, DeSoto County, Mississippi.

2. That Charles Carter, d/b/a Home Repair Company, contracted with Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, to provide for commercial renovations ("construction") on Lot 1 & 2 of the property described above. That pursuant thereto, Charles Carter, d/b/a Home Repair Company, did provide for construction on the property described above, and that as a result thereof, there is presently due to Charles Carter, d/b/a Home Repair Company, the sum of forty-two thousand six-hundred dollars and zero cents (\$42,600.00).

3. That there is unpaid at this time, as by the sworn Affidavit of Account of Charles Carter, d/b/a Home Repair Company, attached hereto as Exhibit "A" the sum of \$42,600.00, which said sum is presently due and owing and which said sum the said Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, has refused to pay although requested many times to do so.

4. That Charles Carter, d/b/a Home Repair Company, is claiming benefit of M.C.A.

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§85-7-131, et. seq., under which it is entitled to be paid for construction services and materials in the sum of \$42,600.00 and as such is asserting a lien against the property hereinabove described.

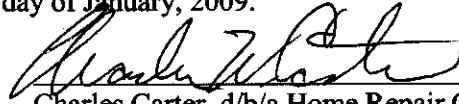
5. The parties affected by this notice are:

R & W Developers, LLC
5627 Getwell Road
Southaven, MS 38671

MidSouth Fitness
c/o Kelly Armstrong
5847 Getwell Rd.
Southaven, MS 38671

Builders Unlimited
P.O. Box 816
Southaven, MS 38671

WITNESS MY SIGNATURE, this the 14th day of January, 2009.


Charles Carter, d/b/a Home Repair Company

AFFIDAVIT TO ACCOUNT

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Charles Carter, d/b/a Home Repair Company, who having been by me duly sworn, on oath states that Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, is severally indebted in the sum of \$42,600.00, and that the account thereto attached is due and owing from the party against whom it is charged.

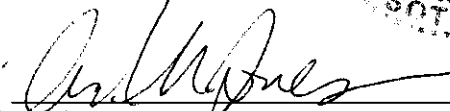

Charles Carter, d/b/a Home Repair Company

SWORN TO AND SUBSCRIBED BEFORE ME, this the 14th day of January, 2009.


NOTARY PUBLIC

My Commission Expires:

PREPARED BY:


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